SHIMOGA TOWN MUNICIPALITY.

Notification dated 11th April 1928.

The right to collect tolls at the toll-gates as noted in Schedule A and B during the official year 1928-29 will be sold by public auction at the place and on the date specified therein.

2. Persons intending to bid at the sale must attend in person or by a duly or credited agent. Every such person should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all the bidders except the first two or three, whose bids are to be recommended for acceptance, will be returned at the close of the sale. The deposit of the successful bidder who will be called the contractor will be returned only on fulfilment of the contract. The deposits of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A, who reserves the final power of refusing or accepting without assigning any reason whatever, the highest or any bid that may be offered.

4. The contractor shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and when he does not hold property in Mysore, shall furnish at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract.

5. The contract shall not be transferred by sale, gift or otherwise or sub-leased without the previous sanction of the Municipal Council.

6. The contract amount shall be paid in twelve equal monthly instalments in advance on the 1st day of every month into the Municipal Office.

7. The contractor shall have no claim to the fees recovered from persons compounding the payment of toll in accordance with the Standing Rules and Orders approved by Government and he shall not levy any toll from such persons. He shall also pay along with the instalments, the authorised local, railway and education cesses, if any, at the prescribed rates.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till date of payment.

9. The contractor shall collect tolls only at the rates and at the gates, on the traffic specified in Schedules A and B.

10. The contractor shall give to the person paying the toll a proper receipt showing the date and the hour of payment of tolls.

11. The contractor shall keep at the toll-gate, true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Deputy Commissioner, and President of the Municipal Council. He shall, if required by the Deputy Commissioner and Municipal President, furnish to the Municipal Office at the end of every month, a true return for the month, showing the traffic passing through the gate in the prescribed form.

12. The contractor will have the use of the existing toll house and gate without payment of any rent, and he should keep them in good repair failing which the cost of repair will be recovered from the contractor. If any toll-gate or house is required, it will be put up at the cost of the Municipal Council.

13. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

14. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated 4th November 1876, and the rules formed by the Municipal Council under the Municipal Regulation. He shall recognise all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the following points:—

(*a*) A table of authorized tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near the toll-gate, or gates.

(*b*) Animals drawing any vehicles for which tolls can be demanded are not also to be charged with toll.

(*c*) No toll shall be levied afresh on any cart, etc., passing along the toll gate, if within a period of 24 hours computing from sunrise to sunrise a toll has been collected thereon at a toll gate in the Mysore State or a toll gate in British India in respect of which the Government have secured reciprocity for exemption in consultation with the British authorities.

(*d*) Carts laden with bone or other substance as manure shall be treated as unladen and tolled accordingly.

(*e*) No toll shall be levied on foot passengers.

(*f*) No tolls shall be levied for the passage of troops or Military Stores or equipages or of Police Officers on duty or of any person or property in their custody or of any property *bona fide* belonging to Government, as established where proof is required by the production of a pass or certificate from any officer of the department to which the property belongs, authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed before the cart, carriage or animal, conveying such property reaches the destination noted in such pass or certificate.

(*g*) No toll shall be levied for the passage of carriages, carts, animals, etc.—

1. Belonging to Municipal Council.
2. Conveying Municipal servants on duty or property in the custody of such servants.
3. Licensed by the Municipal Council.
4. Assessed by the Municipal Council to Municipal Taxation provided the tax has been paid in advance.
5. Possessed by a person who has compounded with Municipal Council for a prescribed sum in accordance with the rules approved by Government.
6. Engaged by the Postal Department to convey Mails.
7. Belonging to the Honorable the British Resident in Mysore.
8. Belonging to Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowance.
9. Belonging to His Highness the Maharaja or His Highness the Yuvaraja.

(*h*) No toll shall be levied on cattle belonging to the residents of the village or town within the limits of which the toll-gate is established (G. O. No. R. 758-68—R. M. 9-26-2, dated 6th August 1926.)

15. British Military Officers in uniform passing on duty through the State are exempted from payment of tolls.

16. The Government carts belonging to the Amrut Mahal Department moving about from place to place within a district in connection with the work of the Department with the necessary permits by the Superintendent, Amrut Mahal Department are exempted from payment of tolls.

17. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 per each infringement. If the fine be not paid or in the event instalments or other sums due are not paid within the prescribed date, it shall be competent to the President to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor, who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the resale.

18. The imposition of fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

SCHEDULE A.

1	Name of the toll-gates	1. Temporary sheds to be put up at the Municipal Boundaries on the— (*a*) Bhadravati Road, (*b*) Holehonnur Road, (*c*) Jail Road, (*d*) Shikarpur Road and at the Ookads built on— (*a*) Honnali Road, (*b*) Tirthahalli Road, (*c*) Sagar Road.
2	Situation of the gates	
3	Whether toll is to be levied on through traffic or incoming traffic or out-going traffic	On through trafficand incoming traffic
4	Traffic specially exempted from payment of toll on account of the peculiar situation of the toll-gate or the special requirements to the people near the toll-gate ...	Nil

5	Amount of deposit required	Rs. 3,338 being one-sixth of the contract amount for 1927-28.
6	Place of sale	Town Municipal Office.
7	Date of sale	14th May 1928
8	Officer conducting the sale	President of the Municipal Council or any other officer empowered by him.
9	Officer confirming the sale	President of the Council.
10	Remarks	.....

SCHEDULE B.

(DETAILS OF TRAFFIC.)

Schedule of rates of toll.

	Rs.	a.	p.
Motor busses and cars	0	8	0
Motor cycles	0	4	0
Bicycles	0	1	0
Carts drawn by one or more pairs of bullocks, buffaloe, horse, pony, ass or mule when laden	0	4	0
Do do do when empty ..	0	2	0
Carts drawn by one bullock, buffalo, horse, pony, ass or mule when laden	0	2	0
Do do do when empty ...	0	1	0

N.B.—The presence in the cart of two days' supply of fodder or gram or kadale not exceeding ten seers per cart for the use of the animals and flour or rice or ragi or any other food grains not exceeding seven seers per cart, together with necessary utensils for the use of the owner, shall not bring the cart under the category of laden carts.

H. KESHAVAMURTHY,

Chief Officer, Town Municipal Council.

DISTRICT BOARD, SHIMOGA.

Notification dated 1928.

It is hereby notified for the information of the public that the exclusive right of transporting passengers, goods, vehicles, animals, etc., and of collecting tolls at the ferries specified in the annexed list will be put up to auction on the dates specified therein by the President or Vice-President of the District Board or any officer deputed by the President for the purpose, at each Taluk Head Quarters subject to the confirmation of the President District Board.

2. The auction will begin at 12 noon on the days fixed and will if necessary be continued on the following days.

3. In accordance with Government Proceedings No. 9483-90—L. B. 440-05-10, dated the 15th April 1907, the ferries will be leased out for five years from 1st July 1928 to 30th June 1933 both days inclusive.

4. The monopoly covers only so much of the river as lies within 500 yards on each side of the ferry. The President forbids the transport within these limits of passengers, etc., as aforesaid and the collection of tolls therefor except by or on behalf of the lessee or other person authorised by the President.

5. The accepted bidder shall immediately on the declaration of the acceptance of his bid produce before the officer conducting the sales, one-fourth of the accepted bid amount equal to three months' rental failing which the lease will be resold at the first purchaser's risk.

6. The accepted bidder shall within four days of the acceptance of the bid, execute in favour of the President, District Board an agreement on a stamped paper with two tangible sureties for the due fulfilment of the contract and deliver it to the Amildar of the Taluk and thereupon the President, District Board will authorize the executant of the said Mutchalika to enter into his contract. If the accepted bidder fails to execute and deliver up the mutchalika, the lease will be resold or otherwise disposed of at the defaulting bidders' risk, the deposit already made will be forfeited to Government.

7. The accepted bidder shall not transfer the lease by sale, gift or otherwise or sub-lease without the previous sanction of the President.

8. Where there are no boats they shall be provided by the lessees at all the ferries. The boats kept by the lessees shall always be of the size and quality approved by the President, District Board, Executive Engineer and the Amildar of the Taluk.

9. Wherever boats, platforms are provided by Government, they shall be returned to Government on the termination of the lease, or on being demanded by the President, District Board or other officer authorised by him in the same condition in which they were supplied to him subject to reasonable wear and tare. Loss or damage arising from neglect or want of care shall be made good by the lessee. The lessee shall always be bound to keep the boats in good order and clean.

10. The lessee shall be entitled to collect tolls at the rates specified in the list hereto annexed and no fee or toll shall be demanded in the case enumerated below :—

(*a*) Government mails, stores, remittance and all persons, animals, vehicles, employed in carrying the same.

(*b*) All Government Officials including troops, travelling on duty and also in the case of police officers, prisoners and property in their custody.

(*c*) All parties employed by Government servants to carry official reports when so carrying such reports.

(*d*) Children under twelve years of age.

(*e*) The President, District Board is at any time and for any length of time at liberty to attach the boats for the conveyance of troops, camp, requipage and followed and the contractors and their servants will be bound to give all reasonable assistance to ensure their speedy and safe carriage.

11. The balance of the contract amount will be paid by the lessee to the District Board in nine months' instalments commencing from 1st July 1928, the deposit being credited to the three Khists. All payments shall be made in the Treasury of the Taluk in which the ferry lies. He shall also pay along with the instalments the authorised Local Railway, Education Cess, if any, at the prescribed rates.

12. Interest at 9 per cent per annum shall be levied on all overdue instalments till date of payment.

13. The lessee shall collect tolls only at the rates and at the specified place of ferry on the traffic specified in the schedule.

14. At each ferry a board showing the rates and the weight to be carried should be put up in a conspicuous place by the lessee at all times when the ferry is worked excepting those places where provision is made by the President, District Board.

15. The President, District Board reserves to himself the power of accepting or rejecting any bid without assigning any reasons therefor.

16. The contractor shall have a sufficient number of boats in readiness at either side of the ferry and shall take care that mails, travellers, passengers, animals, carriages, etc., are not unnecessarily delayed whether by day or night but are ferried over with expedition.

17. Every passenger crossing a ferry is allowed to carry with him his luggage not exceeding in weight an Indian maund without any additional fee for the same. Any quantity in excess of the above will be liable to an additional fee of one anna for each maund or less.

18. Any breach of the above conditions or rules on the part of the contrctor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 for each infringement. If the fine be not paid, or in the event of instalments or other sums due are not paid within the prescribed date it shall be competent to the President, District Board to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by resale or otherwise. The resale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing but shall not be entitled to any profits arising from the resale.

19. The imposition of fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

SCHEDULE A.

Taluk	Class of ferry	Name of ferry	Date of auction
Shimoga ...	2nd Class ...	1 Hole-Honnur Bhadra River ...	2nd May 1928 (Wednesday)
	4th Class ...	2 Danayakanapur do ...	do
	Do ...	3 Kagikodamaggi do ...	do
	Do ...	4 Kudli Sugur Tunga do ...	do
	Do ...	5 Mangoti Tungabhadra do ...	do
	Do ...	6 Gajnur Tunga do ...	do